THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.22953 OF 2005

DATED 25.10.2005

M.V.Srinivas, S/o Late M.Krishna Murthy,

R/o Flat No.G-3, Manasa Apartments,

Municipal No.1-11-110/17, Tata Chari Colony,

Shyam lal Buildings, Begumpet, Hyderabad.

…Petitioner

and

The Commissioner, Municipal Corporation of Hyderabad, Hyderabad and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.22953 OF 2005

ORDER:

The petitioner is resident of Tata Chari colony, Shyam Lal Buildings, Begumpet, Hyderabad. He is allegedly owner of Flat No.G-3 in Manasa Apartments, which he

purchased under registered sale deed dated 05.05.2005. It appears there is a vacant site adjacent to petitioner's flat. Of late, he found somebody raising pillars and taking up construction allegedly without leaving any setback adjacent to compound wall of Manasa Apartments. The petitioner brought the same to the notice of Manasa Apartments Owners Welfare Society. The petitioner along with Society members also met the Additional Commissioner of Municipal Corporation of Hyderabad and gave a report on 15.09.2005 followed by three telegrams, in vain. Therefore, the petitioner filed the present writ petition alleging that the construction that is being going on adjacent to the petitioner's flat and Manasa Apartments compound wall is illegal and if the respondents herein failed to take any action, it would result in eternal problems. The petitioner prays for a direction to the respondents to consider his representation.

A reading of the affidavit filed in support of the writ petition would show that the petitioner has not given the details of ownership of the vacant site adjacent to Manasa Apartments or the owner or the person who is allegedly raising such construction. In the absence of such details, without impleading the person who is allegedly making construction, it may not be possible for the Municipal Corporation to initiate any action. In spite of the repeated queries from this Court, the learned counsel for the petitioner, Sri M.R.S.Srinivas is not able to give particulars of the person who is allegedly raising construction adjacent to petitioner's flat. Based on such vague affidavits, no writ petition can be entertained.

The writ petition is accordingly dismissed. No costs.

_____

(V.V.S.RAO,J)

25.10.2005

pln